

# House Study Bill 712

HOUSE FILE \_\_\_\_\_  
BY (PROPOSED COMMITTEE ON  
HUMAN RESOURCES BILL BY  
CHAIRPERSON UPMEYER)

Passed House, Date \_\_\_\_\_ Passed Senate, Date \_\_\_\_\_  
Vote: Ayes \_\_\_\_\_ Nays \_\_\_\_\_ Vote: Ayes \_\_\_\_\_ Nays \_\_\_\_\_  
Approved \_\_\_\_\_

## A BILL FOR

1 An Act providing for the release of certain morbidity and  
2 mortality study information to the Iowa healthcare  
3 collaborative.  
4 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:  
5 TLSB 6181HC 81  
6 rn/gg/14

PAG LIN

1 1 Section 1. Section 135.40, Code 2005, is amended to read  
1 2 as follows:  
1 3 135.40 COLLECTION AND DISTRIBUTION OF INFORMATION.  
1 4 Any person, hospital, sanatorium, nursing or rest home or  
1 5 other organization may provide information, interviews,  
1 6 reports, statements, memoranda, or other data relating to the  
1 7 condition and treatment of any person to the department, the  
1 8 Iowa medical society or any of its allied medical societies,  
1 9 ~~or the Iowa osteopathic medical association, or any in-~~  
1 10 ~~hospital staff committee, or the Iowa healthcare~~  
1 11 ~~collaborative,~~ to be used in the course of any study for the  
1 12 purpose of reducing morbidity or mortality, and no liability  
1 13 of any kind or character for damages or other relief shall  
1 14 arise or be enforced against any person or organization by  
1 15 reason of having provided such information or material, or by  
1 16 reason of having released or published the findings and  
1 17 conclusions of such groups to advance medical research and  
1 18 medical education, or by reason of having released or  
1 19 published generally a summary of such studies.  
1 20 For the purposes of this section, and section 135.41, the  
1 21 "Iowa healthcare collaborative" means an organization which is  
1 22 exempt from federal taxation under section 501(c)(3) of the  
1 23 Internal Revenue Code and which is established to provide  
1 24 direction to promote quality, safety, and value improvement  
1 25 collaborative efforts by hospitals and physicians.

1 26 Sec. 2. Section 135.41, Code 2005, is amended to read as  
1 27 follows:  
1 28 135.41 PUBLICATION.  
1 29 The department, the Iowa medical society or any of its  
1 30 allied medical societies, ~~or the Iowa osteopathic medical~~  
1 31 ~~association, or any in-hospital staff committee, or the Iowa~~  
1 32 ~~healthcare collaborative~~ shall use or publish said material  
1 33 only for the purpose of advancing medical research or medical  
1 34 education in the interest of reducing morbidity or mortality,  
1 35 except that a summary of such studies may be released by any  
2 1 such group for general publication. In all events the  
2 2 identity of any person whose condition or treatment has been  
2 3 studied shall be confidential and shall not be revealed under  
2 4 any circumstances. A violation of this section shall  
2 5 constitute a simple misdemeanor.

2 6 EXPLANATION  
2 7 This bill adds the Iowa healthcare collaborative to the  
2 8 list of entities which may receive and publish information  
2 9 relating to a morbidity or mortality study. According to Code  
2 10 section 135.40, a person, hospital, sanatorium, nursing or  
2 11 rest home, or other organization may provide specified  
2 12 information relating to the condition and treatment of any  
2 13 person to entities listed in the section to now include the  
2 14 Iowa healthcare collaborative pursuant to the bill, to be used  
2 15 in a study for the purpose of reducing morbidity or mortality,  
2 16 without liability. In Code section 135.41, the same entities,  
2 17 now to include the Iowa healthcare collaborative, may use or

2 18 publish the information under specified circumstances and on a  
2 19 confidential basis regarding individuals involved as subjects  
2 20 in the study.  
2 21 The bill defines the "Iowa healthcare collaborative" as an  
2 22 organization which is exempt from federal income taxation  
2 23 under section 501(c)(3) of the Internal Revenue Code and is  
2 24 established to provide direction to promote quality, safety,  
2 25 and value improvement collaborative efforts by hospitals and  
2 26 physicians.  
2 27 LSB 6181HC 81  
2 28 rn:rj/gg/14.1